

REMARKS

Claims 1, 3, 7, 9, 13, 18, 23, 28, 29, 33 and 34 are pending but stand rejected. It is noted that The current office action contains eighteen pages. Pages 10-18 appear to have been inadvertently included by the Examiner. Those last 9 pages include handwritten notations from the Examiner's supervisor. The conclusion on inadvertently included page 17 (the second page 8) would appear to indicate that the rejections have been made final. However, The conclusion on the first page 8 mentions nothing of making the rejection final. Furthermore, Claims 13 and 18 have been rejected under 35 USC §101. This is a new grounds for rejection that was not necessitated by an amendment to those claims. As such, the rejections have not been made final.

In view of those amendments and the following remarks, the Applicant respectfully requests the Examiner's thoughtful reconsideration.

DRAWINGS: The Examiner objected to the drawings citing 37 CFR §1.83(a) asserting that the drawings do not show every feature specified in the claims In particular the Examiner indicates that the following are not shown in the figures: (a) "determining if the identified port address is listed by the policy data", (b) "the use data being based on the billing information for a particular venue station", and (c) "usable to charge a fee for acting on the network request." The Applicant respectfully disagrees. The limitations noted by the Examiner are found in Claim 1 which recites:

- determining if the identified port address is listed by the policy data; and
- accepting the network request and reporting use data only upon a determination that the identified port address for the particular one of the plurality of venue stations is listed as a port address for an authorized venue station, the use data being based on the billing information for the particular venue station and usable to charge a fee for acting on the network request.

Section 1.83(a) states that “features disclosed in the description and claims, where their detailed illustration is not essential for a proper understanding of the invention, should be illustrated in the drawing in the form of a graphical drawing symbol or a labeled representation (e.g., a labeled rectangular box).” The features noted by the Examiner are shown as boxes 44 and 50 in Figure 4. The full text noted by the Examiner need not be shown in the figures as such an illustration is not essential for a proper understanding of the invention.

In particular, the act of determining if the identified port address is listed by the policy data is shown as step 44 in Figure 4. Step 44 is shown as a decision block containing the question “AUTHORIZED?” The Specification describes: “With the port addresses identified, request manager 26, in step 44, accesses policy data to determine if those port addresses are authorized.” Specification, paragraph [0028]. Therefore, the act of determining as recited in the claims is shown in the drawings as required by §1.83.

Step 50 in Figure 4 is shown as a block containing the text “REPORT USE DATA.” As described in the Specification, the use data reported in step 50 “can include or be based on billing information – information identifying or otherwise usable to identify a fee to be charged for acting on a network request as well as a manner in which the fee is to be charged.” Specification, paragraph [0026]. Consequently the act of reporting use data that is “based on the billing information for a particular venue station” and is “usable to charge a fee for acting on the network request” is shown as step 50 in Figure 4 as required by §1.83.

For these reasons, The Applicant respectfully requests that the Examiner withdraw the objection to the drawings. Each of the features identified by the Examiner are shown in the drawings as steps 44 and 5 in Figure 4.

CLAIM REJECTIONS – 35 USC § 101: The Examiner rejected Claims 13 and 18 under §101 as being directed to non statutory subject matter. The Specification has been amended to address the Examiner’s concerns.

CLAIM REJECTIONS – 35 USC § 103: The Examiner rejected Claims 1, 3, 7, 9, 13, 18, 23, 28, 29, 33, and 34 as being unpatentable over US Pub 2003/0105643 to Chen in view of US Pub 2003/0069972 to Yoshimura

Claim 1 is directed to a method for authorizing a network request. The request is routed through a network infrastructure to a network device from one of a plurality of authorized and unauthorized venue stations connected to the network infrastructure. As amended Claim 1 recites the following:

1. communicating with the network infrastructure to identify a network address from which the network request originated, the network address being a port address of a hub or router through which a particular one of the plurality of venue stations is connected to the network infrastructure;
2. accessing policy data, the policy data being electronic data listing a port address and billing information for each authorized venue station;
3. determining if the identified port address is listed by the policy data; and
4. accepting the network request and reporting use data only upon a determination that the identified port address for the particular one of the plurality of venue stations is listed as a port address for an authorized venue station, the use data being based on the billing information for the particular venue station and usable to charge a fee for acting on the network request.

The Examiner asserts that Chen teaches the act of determining if the identified port address is listed by the policy data. In particular, the Examiner cites Chen, paragraph [0089] and Figure 6, step 604. Chen's Fig. 6 is a flow chart of steps taken to print data files uploaded by a hotel guest on a hotel printer. Chen, paragraph [0087]. The guest swipes a magnetic room key in a card reader. Chan, Fig. 6, step 601. Room

key information is read from the card and communicated to a server. Chen, Fig. 6, step 602. The server then queries a data warehouse server to determine if any data files have been uploaded that are associated with the room key information read from the user's room key. Chen, Fig. 6, step 603. The data warehouse server then consults a database of uploaded files to determine whether any document have been uploaded that match the room key information. Chen, Fig. 6, step 604.

The Examiner is mistakenly equating the recited act of determining if the identified port address is listed by the policy data with Chen's step 604. Step 604 involves Chen's data warehouse server consulting a database of uploaded files as to whether any documents have been uploaded that match the hotel guest's room key information read from the guest's room key. Hotel room key information is identifying information read from a magnetic room key. *See, e.g.*, Chen, paragraph [0049]. Room key information is not a port address. The database is an electronic container of files where each file contains the room key information of the hotel guest that uploaded the file. The database provides no information regarding the port address used to upload the files. As such, Chen's database of uploaded files is not policy data that lists port addresses.

Claim 1 also recites accepting a network request and reporting use data **only upon a determination** that the identified port address for the particular one of the plurality of venue stations is listed as a port address for an authorized venue station. The Examiner asserts this is taught by Chen, paragraph [0089] and Fig. 6, step 611. It is initially noted that because Chen fails to teach or suggest determining if the identified port address is listed by any accessed policy data, Chen also fails to teach or suggest taking any action **only upon a determination** that a port address is listed in such policy data as a port address for an authorized venue station. Furthermore, Chen's step 611 involves printing a hotel guest's document of a page informing the guest of a failure. Chen, paragraph [0092]. Printing of the document in Chen's step 611 occurs without regard to an analysis of a port address in a accessed policy data.

Consequently, Chen fails to teach or suggest a method that includes (a) determining if the identified port address is listed by the policy data and (b) accepting

the network request and reporting use data only upon a determination that the identified port address for the particular one of the plurality of venue stations is listed as a port address for an authorized venue station. Yoshimura is silent on these points.

For at least these reasons, Claim 1 is patentable over Chen even when combined with Yoshimura. The same is true for Claim 3 which depends from Claim 1.

Claim 7 is directed to a method for printing and recites the following:

1. receiving a print request routed through a network infrastructure, the request being received from one of a plurality of authorized and unauthorized venue stations connected to the network infrastructure;
2. communicating with the network infrastructure to identify a network address from which the print request originated, the network address being a port address of a hub or router through which a particular one of the plurality of venue stations is connected to the network infrastructure;
3. accessing policy data, the policy data being electronic data listing a port address and billing information for each authorized venue station;
4. determining if the identified port address is listed by the policy data; and
5. acting upon the print request and reporting use data only if the identified port address for the particular one of the plurality of venue stations is listed as a port address for an authorized venue station, the use data being based on the billing information for the particular venue station and usable to charge a fee for acting on the print request.

As with Claims 1, Chen even when combined with Yoshimura fails to teach or suggest (a) determining if the identified port address is listed by the policy data and (b) acting upon the print request and reporting use data only if the identified port address for the particular one of the plurality of venue stations is listed as a port address for an

authorized venue station. For at least these reasons, Claim 7 and Claim 9 which depends from Claim 7 are patentable over the cited references.

Claim 13 is directed to a computer readable medium having instructions for implementing the method of Claim 1. For at least the same reasons Claim 1 is patentable, so is Claim 13.

Claim 18 is directed to a computer readable medium having instructions for implementing the method of Claim 7. For at least the same reasons Claim 7 is patentable, so is Claim 18.

Claim 23 is directed to a system capable of implementing the method of Claim 1. For at least the same reasons Claim 1 is patentable, so are Claim 23 and Claim 28 which depends from Claim 23.

Claim 29 is directed to a system capable of implementing the method of Claim 7. For at least the same reasons Claim 7 is patentable, so is Claim 29.

Claim 33 is directed to a system having various means for implementing the method of Claim 1. For at least the same reasons Claim 1 is patentable, so is Claim 33.

Claim 34 is directed to a system having various means for implementing the method of Claim 7. For at least the same reasons Claim 7 is patentable, so is Claim 34.

CONCLUSION: The foregoing is believed to be a complete response to the outstanding Office Action. Claims 1, 3, 7, 9, 18, 23, 28, 29, 33 and 34 are felt to be in condition for allowance. Consequently, early and favorable action allowing these claims and passing the application to issue is earnestly solicited.

Respectfully submitted,
James Clough

By /Jack H. McKinney/
Jack H. McKinney
Reg. No. 45,685

March 6, 2008